IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION NO : 23150 of 2004**

Between:

Smt.Rajyamma, W/o.Aswaratha Reddy,
Reddipalli Village, B.K.Samudram (M),
Anantapur District.

**..... PETITIONER**

AND

1 The Joint Collector, Anantapur District.
2 The Revenue Divisional Officer, Anantapur District.
3 The Mandal Revenue Officer, B.K.Samudram (M), Anantapur

District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus or any other appropriate writ or direction declaring the proceedings of the 2nd respondent issued in RC.No.D1/CS/1768/2004 dt 30-11-2004 as illegal arbitrary and pass such other or further orders.

**Counsel for the Petitioner: MR.O.MANOHER REDDY**

**Counsel for the Respondents: GP FOR CIVIL SUPPLIES**

**The Court at the admission stage made the following :**

**ORDER:**

The authorization of the petitioner was cancelled by the second respondent through proceedings, dated 25.05.2000. The petitioner preferred an appeal against the same before the first respondent. Her grievance is that even while the appeal is pending, the second respondent issued notification, dated 30.11.2004, inviting applications for selection and appointment of a dealer for the Fair Price Shop.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

The petitioner claims to have preferred an appeal against the order of termination of her dealership, dated 25.05.2000. It is stated that the appeal has not yet been disposed of. If the appeal is pending for the last four years, it is indeed somewhat extraordinary. On account of pendency of appeal for such a long period, uncertainty prevails and it would not be in the interest of anyone. Further, if a dealer is appointed on regular basis in the vacancy and if ultimately the appeal is allowed, several complications will arise.

Hence, the writ petition is disposed of directing that the second respondent shall not take any steps to appoint any dealer for the Fair Price Shop, in respect of which the petitioner was a dealer, till the disposal of the appeal by the first respondent. The first respondent, in turn, is directed to pass appropriate orders in the appeal as expeditiously as possible, not later than four weeks from the date of receipt of this order. There shall be no order as to costs.

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14.12.2004

**Jsu**

To

1 The Joint Collector, Anantapur District.
2 The Revenue Divisional Officer, Anantapur District.
3 The Mandal Revenue Officer, B.K.Samudram (M), Anantapur

District.

4 2CCs to the G.P.For Civil Supplies, High Court Buildings,

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